

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

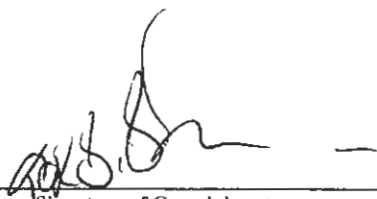
JAMES FRANK INGRAM

Criminal Complaint
Case No. 05 - 92M

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about June 17, 2005 in Kent County, in the District of Delaware, defendant did knowingly possess in and affecting interstate commerce, a firearm, that is, a Rexio Model Pucara 384, 38 caliber, with serial number C28335, after having been convicted on or about November 2, 2000, in the Superior Court of Moore County, Carthage, North Carolina, of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2). I further state that I am a(n) Special Agent, ATF and that this complaint is based on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes



Signature of Complainant
Tat Shum
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and subscribed in my presence,

June 17, 2005 at _____
Date

Honorable Sue L. Robinson
United States District Judge
Name & Title of Judicial Officer

Wilmington, DE
City and State



Signature of Judicial Officer

AFFIDAVIT

Your affiant, Special Agent Tat Shum of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), does solemnly swear that:

1. I am a Special Agent (S/A) with the ATF, United States Department of Justice, and have been so employed since 1999. I am currently assigned to the Baltimore Field Division, Wilmington Field Office in Delaware. Prior to my employment with ATF, I was employed as a State Narcotics Agent with the Pennsylvania State Attorney's General Office for approximately one year. During the course of my law enforcement career, I have participated in more than one hundred criminal investigations involving violations of federal firearms laws, which led to arrests and convictions of violators.
2. I am the case agent responsible for this investigation, in aid of which this application is being made. The information contained in this affidavit is based on both my personal knowledge as well as information provided to me by other law enforcement officers who participated in this investigation, including Deputy United States Marshals. This affidavit is submitted in support of a criminal complaint against James Frank Ingram.
3. On or about June 17, 2005, members of the United States Marshals Fugitive Task Force executed an arrest warrant for James Frank Ingram

in Dover, Delaware. The arrest warrant had been issued by a magistrate judge for the United States District Court for the Middle District of Tennessee, based on a Petition for Action on Conditions of Pretrial Release, relating to James Frank Ingram's charge there for being a felon in possession of a firearm, in violation of Title 18 United States Code Sections 922(g) and 924(a)(2).

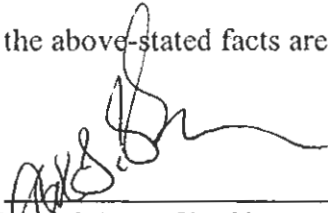
4. Upon finding James Frank Ingram in the residence at _____, consent to search the residence was obtained. James Frank Ingram then advised a Deputy United States Marshal that he had a firearm in a closet in the room he used in the residence. Subsequently, a Deputy United States Marshal retrieved a firearm – specifically, a loaded Rexio Model Pucara 384, 38 caliber, with serial number C28335 – from the closet James Frank Ingram had indicated.

5. I have searched a criminal history database and learned that James Frank Ingram was convicted of felony possession of cocaine, on or about November 2, 2000, in the Superior Court of Moore County, Carthage, North Carolina, a crime punishable by a term of imprisonment in excess of one year.

6. Based on my training and experience, I know that Rexio firearms are not manufactured in Delaware. Therefore, the Rexio Model Pucara 384, 38 caliber, with serial number C28335, retrieved from James Frank Ingram traveled in interstate commerce prior to being possessed by James Frank Ingram on or about June 17, 2005.

WHEREFORE, based on the above-stated facts, your affiant believes that there is probable cause to believe that James Frank Ingram has committed the crime of possession of a firearm by a felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), and prays that a complaint be issued.

I, the undersigned, swear that the above-stated facts are true to the best of my knowledge and belief.



Special Agent Tat Shum
Bureau of Alcohol, Tobacco, Firearms & Explosives